

PATENT APPLICATION
U.S. Appln. No. 10/580,050
International Application No. PCT/US04/39333
Attorney Docket No. PP021454.0004(51835-US-PCT)

Express Mail Label No.: EM 407747575US Date: July 1, 2009

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In Re Application of: Qui-Lim Choo

U.S. Appln. No.: 10/580,050

Intl. Appln. No.: PCT/US04/39333

I.A. Filing Date: 11/19/2004

Priority Date: 11/19/2003

Title: METHODS AND REAGENTS FOR
TREATING, PREVENTING AND
DIAGNOSING *BUNYAVIRUS*
INFECTION

Confirmation No.: 7391

Group Art Unit: To Be Assigned

Examiner: To Be Assigned

RESPONSE TO NOTICE TO NOTICE OF ABANDONMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notice of Abandonment" we are resubmitting a response to the "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures", mailed February 18, 2009 from the United States Patent and Trademark Office(USPTO). The applicant would like to bring to the USPTO's attention multiple responses were submitted previous to this paper listed below. Copies of said papers are also provided herewith. Enclosed herewith are the following to complete the "Notice to

Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" in the above-identified application:

1. COPY OF THE NOTICE OF ABANDONMENT
2. COPY OF NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES.
3. COPY OF THE PRELIMINARY AMENDMENT SUBMITTED JANUARY 31 2008 AND MARCH 20, 2009.
4. COPY OF PREVIOUSLY SUBMITTED TRANSMITTAL OF SEQUENCE LISTING INCLUDING:
 - a. Statements Under 37 C.F.R. 1.821(f-g), including statement specifically directing entry of the sequence listing into the application.
 - b. Paper Copy of the Sequence Listing (60 pages).
 - c. Copy Compact Disk Containing CRF Copy of Sequence Listing (1 CD).
5. COPY OF RETURN RECEIPT POSTCARDS DATED JANUARY 31, 2008 AND MARCH 20, 2008.

The Commissioner is hereby authorized to charge any deficiency in fees or credit any overpayment associated with this communication and which may be required under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 03-1664.

Respectfully submitted,

NOVARTIS VACCINES AND DIAGNOSTICS, INC.

Dated: July 1, 2008

By: Regina Bautista
Regina Bautista
Registration No. 46,280

Customer No. 27476
NOVARTIS VACCINES AND DIAGNOSTICS, INC.
Corporate Intellectual Property – R338
P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: (510) 923-2192
Facsimile: (510) 655-3542



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/580,050	Qui-Lim Choo	PP021454.0004

27476

NOVARTIS VACCINES AND DIAGNOSTICS INC.
INTELLECTUAL PROPERTY R338
P.O. BOX 8097
Emeryville, CA 94662-8097

INTERNATIONAL APPLICATION NO.

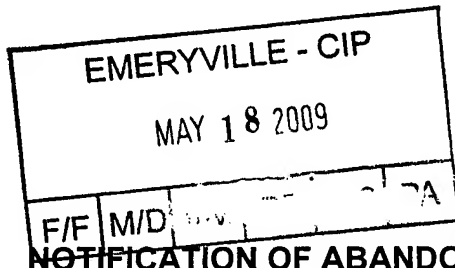
PCT/US04/39333

I.A. FILING DATE	PRIORITY DATE
11/19/2004	11/19/2003

CONFIRMATION NO. 7391

371

ABANDONMENT/TERMINATION
LETTER



OC000000035945488

NOTIFICATION OF ABANDONMENT

Date Mailed: 05/14/2009

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- The sequence requirements still haven't been met.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

INDIA L EVANS

Telephone: (703) 756-1424

RSB 5/18/09 JX
51835-US-PCR
7/14/09

Submitted March 20, 2008
(with copies of all documents submitted 1-31-2008)

SERIAL NO: 10/580,050 FILING DATE: 11-19-04 DKT NO: PP21454.0004
TITLE: Method and Reagents for Treating preventing
ATTY: RSB APPLICANT: Qui-Lim Choo DATE MAILED 3-20-09
☐ CERTIFICATE OF MAILING ☒ EXPRESS MAIL LABEL NO: EM 028421462 US

THE U.S. PATENT & TRADEMARK OFFICE ACKNOWLEDGES RECEIPT OF:

- ☐ Auth. to Charge Deposit Account No. 03-1664 ☒ Certificate Under 37 C.F.R. §3.73(b)
☐ Fee \$ _____ Check # _____ ☒ IDS with Form 1449 and _____ references
☐ Provisional Application for Patent Cover Sheet ☒ Amendment Preliminary Amend
☐ Utility Application Transmittal ☒ COPY Notice to File Missing Parts Application Filing Date Granted
☐ Fee Transmittal Form / Fee Calculation Sheet ☒ Petition _____
☐ _____ pp Spec. _____ pp Claims ☒ Request for Corrected Filing Receipt w/copy of Official Filing Receipt
☐ Informal/Formal Drawings _____ sheets ☐ Notice of Appeal ☐ Issue Fee Transmittal B
☐ Declaration _____ Signed _____ Unsigned ☐ Change of Correspondence Address
☐ Application Data Sheet ☐ Transmittal Letter to the U.S. Designated/Elected (DO/EO/US) Concerning a Filing Under 35 USC 371
☐ Paper Sequence Listing _____ Pages ☐ Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the (DO/EO/US)
☒ Disk Containing Sequence Listing # 1 copies ☐ PCT Request _____ Pages ☐ Demand (DC2)
☐ Statement to Support Filing & Submission in Accordance with 37 CFR §§1.821 - 1.825 ☒ Response NT comply
☐ Power of Attorney / Declaration and Power of Attorney ☐ _____
☐ Assignment w/Recordation Cover Sheet _____ pages ☐ _____

51835- US-PCT



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DIAGNOSTICS INC.
CORPORATE INTELLECTUAL
PROPERTY GROUP
PO BOX 6097
SALISVILLE

R 8B

PA 94068-0097

PP21454.0001 (51835-45-R4)

TO: (PLEASE PRINT)

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MAIL STOP

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VA 22304-1000

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Date Accepted	Scheduled Date of Delivery Month Day	Return Receipt Fee \$	Mo. Day		
Mo. Day Year	Scheduled Time of Delivery <input type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee Insurance Fee \$ \$	Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
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Flat Rate <input type="checkbox"/> or Weight lbs. ozs.	Int'l Alpha Country Code	Acceptance Emp. Initials	Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No. X946559			<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Mail Only) Additional merchandise insurance void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in sect. location) and I authorize that delivery employee's signature constitutes valid proof of delivery. <input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		
FROM: (PLEASE PRINT) NOVARTIS VACCINES & DIAGNOSTICS INC CORPORATE INTELLECTUAL PROPERTY R338 PO BOX 8097 EMERYVILLE CA 94662-8097			TO: (PLEASE PRINT) MAIL STOP COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA VA 22313		
PP 21454,0004 (51835-US-FOI)					
FOR PICKUP OR TRACKING: Visit www.usps.com or Call 1-800-222-1811					

201/ 300 F:21 T:12

SERIAL NO: 10/580,050 FILING DATE: 11-19-04 DKT NO: PP 21454,0004
 TITLE: Method and Reagents for Treating preventing
 ATTY: RSB APPLICANT: Qui-Lim Choo DATE MAILED: 3-20-09
☐ CERTIFICATE OF MAILING ☒ EXPRESS MAIL LABEL NO: EM 028421462 US

THE U.S. PATENT & TRADEMARK OFFICE ACKNOWLEDGES RECEIPT OF:

- | | |
|---|--|
| <input type="checkbox"/> Auth. to Charge Deposit Account No. 03-1664 | <input type="checkbox"/> Certificate Under 37 C.F.R. §3.73(b) |
| <input type="checkbox"/> Fee \$ _____ Check # _____ | <input type="checkbox"/> IDS with Form 1449 and _____ references |
| <input type="checkbox"/> Provisional Application for Patent Cover Sheet | <input checked="" type="checkbox"/> Amendment <u>Preliminary Amend</u> |
| <input type="checkbox"/> Utility Application Transmittal | <input type="checkbox"/> COPY Notice to File Missing Parts Application Filing Date Granted |
| <input type="checkbox"/> Fee Transmittal Form / Fee Calculation Sheet | <input type="checkbox"/> Petition _____ |
| <input type="checkbox"/> _____ pp Spec. _____ pp Claims _____ pp Abstract | <input type="checkbox"/> Request for Corrected Filing Receipt w/copy of Official Filing Receipt |
| <input type="checkbox"/> Informal/Formal Drawings _____ sheets | <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Issue Fee Transmittal B |
| <input type="checkbox"/> Declaration _____ Signed _____ Unsigned | <input type="checkbox"/> Change of Correspondence Address |
| <input type="checkbox"/> Application Data Sheet | <input type="checkbox"/> Transmittal Letter to the U.S. Designated/Elected (DO/EO/US) Concerning a Filing Under 35 USC 371 |
| <input type="checkbox"/> Paper Sequence Listing _____ Pages | <input type="checkbox"/> Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the (DO/EO/US) |
| <input checked="" type="checkbox"/> Disk Containing Sequence Listing # <u>1</u> copies | <input type="checkbox"/> PCT Request _____ Pages <input type="checkbox"/> Demand (DC2) |
| <input type="checkbox"/> Statement to Support Filing & Submission in Accordance with 37 CFR §§1.821 - 1.825 | <input checked="" type="checkbox"/> Response <u>NT comply</u> |
| <input type="checkbox"/> Power of Attorney / Declaration and Power of Attorney | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Assignment w/Recordation Cover Sheet _____ pages | <input type="checkbox"/> _____ |

PRESS HARD. YOU ARE MAKING 3 COPIES.

with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" in the above-identified application:

1. **COPY OF** Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.
2. **PRELIMINARY AMENDMENT.**
3. **TRANSMITTAL OF SEQUENCE LISTING INCLUDING:**
 - a. Statements Under 37 C.F.R. 1.821(f-g), including statement specifically directing entry of the sequence listing into the application.
 - b. Paper Copy of the Sequence Listing (60 pages).
 - c. Compact Disk Containing CRF Copy of Sequence Listing (1 CD).
4. **EXECUTED DECLARATIONS (6 PAGES).**
5. **RETURN RECEIPT POSTCARD.**

The Commissioner is hereby authorized to charge any deficiency in fees or credit any overpayment associated with this communication and which may be required under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 03-1664.

Respectfully submitted,

NOVARTIS VACCINES AND DIAGNOSTICS, INC.

Dated: 3-17-09

By: Regina Bautista
Regina Bautista
Registration No. 46,280

Customer No. 27476
NOVARTIS VACCINES AND DIAGNOSTICS, INC.
Corporate Intellectual Property – R338
P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: (510) 923-2192
Facsimile: (510) 655-3542

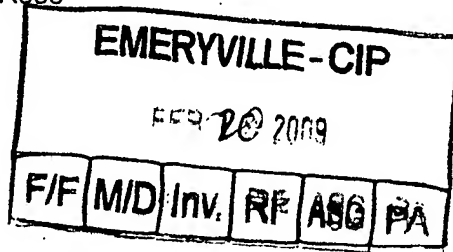


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22303-1550
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/580,050	FIRST NAMED APPLICANT Qui-Lim Choo	ATTY. DOCKET NO. PP021454.0004
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27476
NOVARTIS VACCINES AND DIAGNOSTICS INC.
INTELLECTUAL PROPERTY R338
P.O. BOX 8097
Emeryville, CA 94662-8097



INTERNATIONAL APPLICATION NO. PCT/US04/39333	
I.A. FILING DATE 11/19/2004	PRIORITY DATE 11/19/2003

CONFIRMATION NO. 7391
371 WITHDRAWAL NOTICE



Date Mailed: 02/18/2009

Letter Regarding a New Notice and/or the Status of the Application

If a new notice or Filing Receipt is enclosed, applicant may disregard the previous notice mailed on 01/16/2007. The time period for reply runs from the mail date of the new notice. Within the time period for reply, applicant is required to file a reply in compliance with the requirements set forth in the new notice to avoid abandonment of the application.

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<http://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If the reply is not filed electronically via EFS-Web, the reply must be accompanied by a copy of the new notice.

If the Office previously granted a petition to withdraw the holding of abandonment or a petition to revive under 37 CFR 1.137, the status of the application has been returned to pending status.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

RECEIVED 2/23/09
FILED 51835 K.S. PCX
DUE DATE 4/18/09
Final Date 4/18/09
PP021454.0004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/580,050	FIRST NAMED APPLICANT Qui-Lim Choo	ATTY. DOCKET NO. PP021454.0004
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27476
NOVARTIS VACCINES AND DIAGNOSTICS INC.
INTELLECTUAL PROPERTY R338
P.O. BOX 8097
Emeryville, CA 94662-8097

INTERNATIONAL APPLICATION NO. PCT/US04/39333	
LA. FILING DATE 11/19/2004	PRIORITY DATE 11/19/2003

CONFIRMATION NO. 7391
371 FORMALITIES LETTER



Date Mailed: 02/18/2009

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to comply with the sequence rules, 37 CFR §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

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10/580,050	Qui-Lim Choo	PP021454.0004

27476
NOVARTIS VACCINES AND DIAGNOSTICS INC.
INTELLECTUAL PROPERTY R338
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PCT/US04/39333	
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11/19/2004	11/19/2003

CONFIRMATION NO. 7391
371 FORMALITIES LETTER



Date Mailed: 02/18/2009

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/580,050	Qui-Lim Choo	PP021454.0004

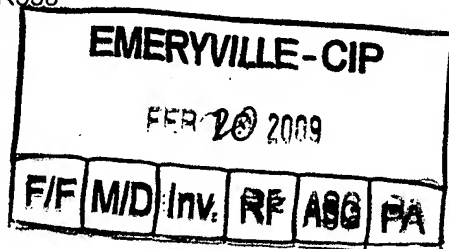
27476

NOVARTIS VACCINES AND DIAGNOSTICS INC.

INTELLECTUAL PROPERTY R338

P.O. BOX 8097

Emeryville, CA 94662-8097



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INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

INDEXED on 2/23/09
ALY RSB
FILED 51835-43-PC
Due Date
Final Date 4/18/09
PP021454 0204

Express Mail Label No.: ED 954551195 US Date: January 31, 2008

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INFECTION

Confirmation No.: 7391

Group Art Unit: To Be Assigned

Examiner: To Be Assigned

TRANSMITTAL LETTER

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith are the following documents to complete the above-identified application:

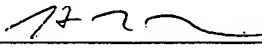
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Respectfully submitted,

NOVARTIS VACCINES AND DIAGNOSTICS, INC.

Dated: January 31, 2008

By: 
Helen Lee
Registration No. 39,270

Customer No. 27476
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Corporate Intellectual Property – R338
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